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U.S. Aides Find Gun Smuggling Is a Low Priority

The following article is based on reporting by Joel Brinkley and Jeff Gerth and was written by Mr. Brinkley.

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WASHINGTON, Sept. 25 — United States law-enforcement officials say they are having little success stopping illegal exports of American-made arms.

Most of the agencies say halting gun smuggling is not a high priority, even though they acknowledge that domestically manufactured weapons are increasingly being smuggled abroad, particularly to Latin America, where they have been used in attacks against Americans and leaders of governments friendly to the United States.

Federal officials say they are concerned about the smuggling. But at the same time numerous Government officials and others involved in the arms business say that United States policies

Second of two articles on smuggling of American arms overseas.

often foster illegal gunrunning. Since the Government itself sometimes makes covert arms purchases for intelligence operations abroad, some major arms traffickers get Government protection, these sources say, even though those same traffickers may at other times sell arms to enemies of the United States.

Guns in 'a Black Hole'

Meanwhile, the Federal law-enforcement agencies that are responsible for stopping arms smuggling say they have other, more important interests. The Customs Service, for example, says it is so busy fighting drug trafficking and illegal exports of high technology that it pays little attention to guns, even though the service has exclusive jurisdiction for enforcing the Arms Export Control Act.

"It just isn't one of our priorities," said Roger R. Urbanski, director of the Custom Service's strategic investigations division.

When Federal officials do make an effort to catch gunrunners, loopholes in Federal laws often let the smugglers go free and "the guns end up going into a black hole," said Edward D. Conroy, special agent in charge of the Bureau of Alcohol, Tobacco and Firearms office in Miami. Federal officials describe,

southern Florida as the nation's largest market for illegal arms smuggling.

Even when Federal law-enforcement officers do file charges against an illegal arms trafficker, sometimes they are forced to halt their case after learning that the suspect is receiving protection from the Central Intelligence Agency or another Federal agency that sometimes acquires weapons through unofficial channels.

'Both Sides of the Street'

"That may be a dangerous statement, but yes, that happens," said Leon W. Guinn, acting special agent in charge of the Miami office of the Customs Service.

"When I investigate" an illegal arms sale, he added, "we find out the traffickers are working both sides of the street. They're working with the C.I.A. or the Department of Defense or somebody else, and then I get a call from Washington, and they might leave me just a small part of the case."

Judy S. Hoyer, a Florida state prosecutor who was an assistant United States attorney in Tampa until earlier this year, said, "The Government has ways of making the cases disappear."

A spokesman for the C.I.A. said the agency would not comment on whether it maintained relationships with arms dealers.

One international arms dealer based on the East Coast, who Federal law-enforcement officials describe as a frequent and reliable informer on illegal arms trafficking, said in an interview: "The Government makes it possible for us. Selling arms isn't really frowned on by the Government."

The United States is the world's largest manufacturer of arms, and around the country the Federal Government has issued licenses to about 243,000 arms dealers. The vast majority of those people appear to be honest and law-abiding. A few, however, sell arms with the knowledge that they will be smuggled abroad.

Five or Six Major Dealers

Some of the dealers are also international arms brokers who find arms buyers for arms sellers and charge a percentage of the transaction price without ever taking possession of the weapons.

The East Coast arms dealer, who is also a broker, said there were five or six major international arms dealers in the United States who at times might have been involved in transactions of questionable legality, in addition to dozens of smaller dealers involved in possibly illegal sales.

That means the five or six major dealers may at times market arms that are not supposed to be available for commercial sale, or they may sell arms to groups or nations that are not supposed to get American weapons, like Iran, nations of the Soviet bloc or the Irish Republican Army.

A Federal law-enforcement official said the estimate appeared to be accurate although the Government did not know for sure.

The East Coast arms dealer said: "The ones that are smart and are making it, work with the Government. All of them work with the C.I.A., the F.B.I., the Defense Intelligence Agency or somebody else."

"I've always cooperated with the Government," the dealer said, adding that the relationship consisted of "a give and a take — as long as they know what's going on, they don't stop you."

'The File Has Been Removed'

Mrs. Hoyer, the former assistant United States attorney, said, "We'd open arms trafficking cases, and then the agent would call back later and say the case no longer existed, the file has been removed, and we'd get word later that the intelligence people were permitting the arms deal to go on or were conducting it themselves."

As a result, Mrs. Hoyer said, some arms traffickers have "one foot on each side of the fence."

A Miami man who Federal officials describe as the largest arms dealer in the United States, and perhaps in the world, got unusual treatment in a 1982 criminal case in which his attorney submitted a sealed court statement describing his client's "great assistance to the United States," the court record says.

A Federal grand jury indicted the arms dealer, Sarkis G. Soghanalian, a Lebanese citizen who lives in Miami, on three counts of fraud in 1981 in connection with the sale of 197 .50-caliber machine guns to Mauritania.

If convicted, he could have been sentenced to 15 years in prison or deported. But Mr. Soghanalian was allowed to plead guilty to one count while at the same time telling the court he was not really guilty of the charge.

'Not the Normal' Practice

Stephen Gillman, who was an assistant United States attorney involved in the case, said the plea arrangement was "not the normal" practice in his office, but he declined further comment.

Federal District Judge Joe Eaton, who accepted the arrangement, said that the case was unusual because it involved "international affairs conducted by the State Department." In addition, Judge Eaton said that "it is recognized by the Government that this man is in some part of international business, a legitimate one" and that Mr. Soghanalian should be able "to carry on his business" and continue traveling abroad as required.

Mr. Soghanalian was sentenced to five years probation, and the Government agreed not to deport him.

Gerald F. Richman, one of Mr. Soghanalian's attorneys, said he assumed his client's relationship with the Government affected the terms of his sentence.

"There is not any question Sarkis has been of assistance to the United States," Mr. Richman said, adding that his clients' contacts "included the C.I.A. and the State Department," but in more detail I cannot go."